

PLANNING DEPARTMENT SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 2018 - 35	
Acceptance Date:	2-6-18
Website Posting Date:	2-16-18
Determination Date:	
Planning Commission Date:	
Expiration Date:	
Planner Assigned:	

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know that your parcel will require a Certified Shoreline Survey, due to the proximity to the shoreline. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information	
Applicant: Kollin Altomare Architects c/o Palms Hawaii	
Mailing Address: 1350 CORDONADO AVENUE LONG BEACH, CA 90804	Phone: 808-246-4796 Email: andrea@palms-hawaii.com
Applicant's Status: (Check one)	
<input type="checkbox"/> Owner of the Property	(Holder of at least 75% of the equitable and legal title)
<input type="checkbox"/> Lessee of the Property	Lessee must have an unexpired and recorded lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
<input checked="" type="checkbox"/> Authorized Agent	Attach Letter of Authorization
Transmittal Date: 2/20/18	

Project Information (attach additional sheets, if necessary) (9)5-4-004:029+035	
County Zoning District: R-10	Tax Map Key(s): (9)5-4-011:004
	Land Area: 23.120 ACRES
Nature of Development: (Description of proposed structure or subdivision)	APPLICANT IS PROPOSING TO REMODEL TWO GUESTROOMS WITHIN EXISTING HOTEL.

**NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE,
EXCEPT AS PROVIDED IN §8-27.8(c)(8)**

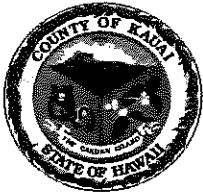
Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

- Property is Abutting the Shoreline
☒ Proposed project's approximate distance from shoreline (based on aerial map): 110' ft.
- Property is Not Abutting the Shoreline
☐ Proposed project's approximate distance from shoreline (based on aerial map): 520 ft.
- Additional Information:
☐ Shoreline Change (Erosion/Accretion) Rate: -0.3 ft/yr ft./year
(Information available here: www.soest.hawaii.edu/coasts/kauaicounty/KCounty.html)
☒ Number and description of parcels (including roads, buildings, structures) between Shoreline and this parcel:

NONE



PLANNING DEPARTMENT SHORELINE SETBACK APPLICATION

- ☒ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)

SLOPE SITE. ELEVATIONS: 0' TO 100' ABOVE SEA LEVEL.

- ☒ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

SHORELINE: BEACH WITH ROCKY OUTCROPPINGS.

- ☐ Artificially armored Shoreline

☐ If checked, what type of armoring (e.g. seawall, revetment, bulkhead): _____

☐ Is the armoring permitted/authorized? _____

☐ Date of authorization (attach copy of authorization letter): _____

- ☐ Is property in coastal floodplain (if checked, what zone)? _____

- ☒ Has this property been subject to coastal hazards (i.e. flooding, erosion, tsunami, etc.) in the past?

No

PLEASE NOTE:

Any misrepresentation of information in this shoreline setback application will result in revocation of this determination and may result in fines and criminal prosecution.

Applicant's Signature

[Signature] (KULIN AUTOMATE ARCHITECTS, AGENT) 12/26/17
Signature Date

Applicability (to be completed by Planning Department)

- ☒ Setback Determination necessary. Requirements of Ordinance No. 979 are applicable.

- ☐ Setback Determination is NOT necessary. Requirements of Ordinance No. 979 are not applicable.

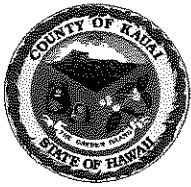
[Signature]
Planning Director or designee

2-6-18
Date

If Part A has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B

- ☐ A non-refundable processing fee of one hundred dollars (\$100.00) shall accompany a request for determination. (§8-27.8(e))
- ☒ An aerial map/image (ex. Google Maps or Google Earth) with a line drawn from the shoreline/vegetation line (approximate shoreline) to the proposed project and the calculated distance in feet.
- ☒ A detailed Plot Plan to scale with all existing and proposed structures including driveways, visible lot coverage, setbacks and measurement details, fences, gates, and walls, etc.
- ☐ Building Permit Number (If building plans submitted)



PLANNING DEPARTMENT SHORELINE SETBACK DETERMINATION

Exemption Determination

☐

Exemption 1

In cases where the proposed structure or subdivision satisfies the following four criteria:

(A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;

(B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;

(C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and

(D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☐

Exemption 2

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☒

Exemption 3

Pursuant to §8-27.7, those structures and uses found exempt in Table 3 (see pg. 7) including repairs and renovations to a lawfully existing structure, including nonconforming structures, provided that:

(A) The repairs DO NOT enlarge, add to or expand the structure; increase the size or degree of non-conformity; or intensify the use of the structure or its impact on coastal processes;

(B) The repairs DO NOT constitute a substantial improvement of the structure; and

(C) The repairs are permitted by the Comprehensive Zoning Ordinance, Development Plans, building code, floodplain management regulations, special management area requirements under HRS Chapter 205A and any other applicable rule or law.

☒

Letter from the Department of Public Works stating that the proposed project does **NOT** constitute "Substantial Improvement," pursuant to §8-27.2 (If applicable, will require valuation of project).

Exemption Determination (to be completed by Planning Department)

☐

Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination requirements established under §8-27.8.

☐

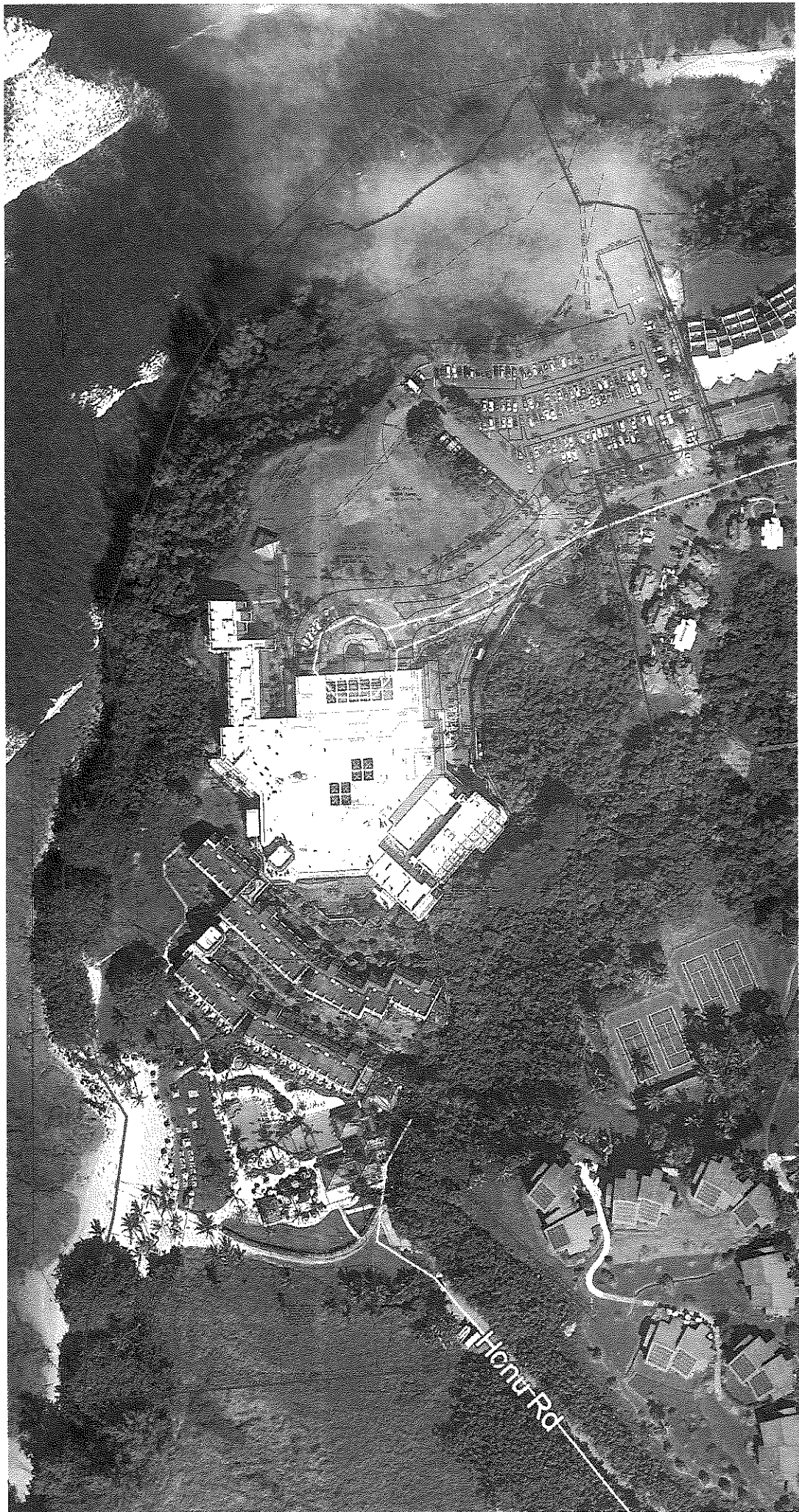
Pursuant to §8-27.7 the Kaua'i County Code, 1987 as amended, the proposed structure(s) is permitted within the shoreline setback area. While exempt from those shoreline setback determination requirements established under §8-27.8, the proposed structure(s) is subject to the conditions of §8-27.7(b). (See pg. 8)

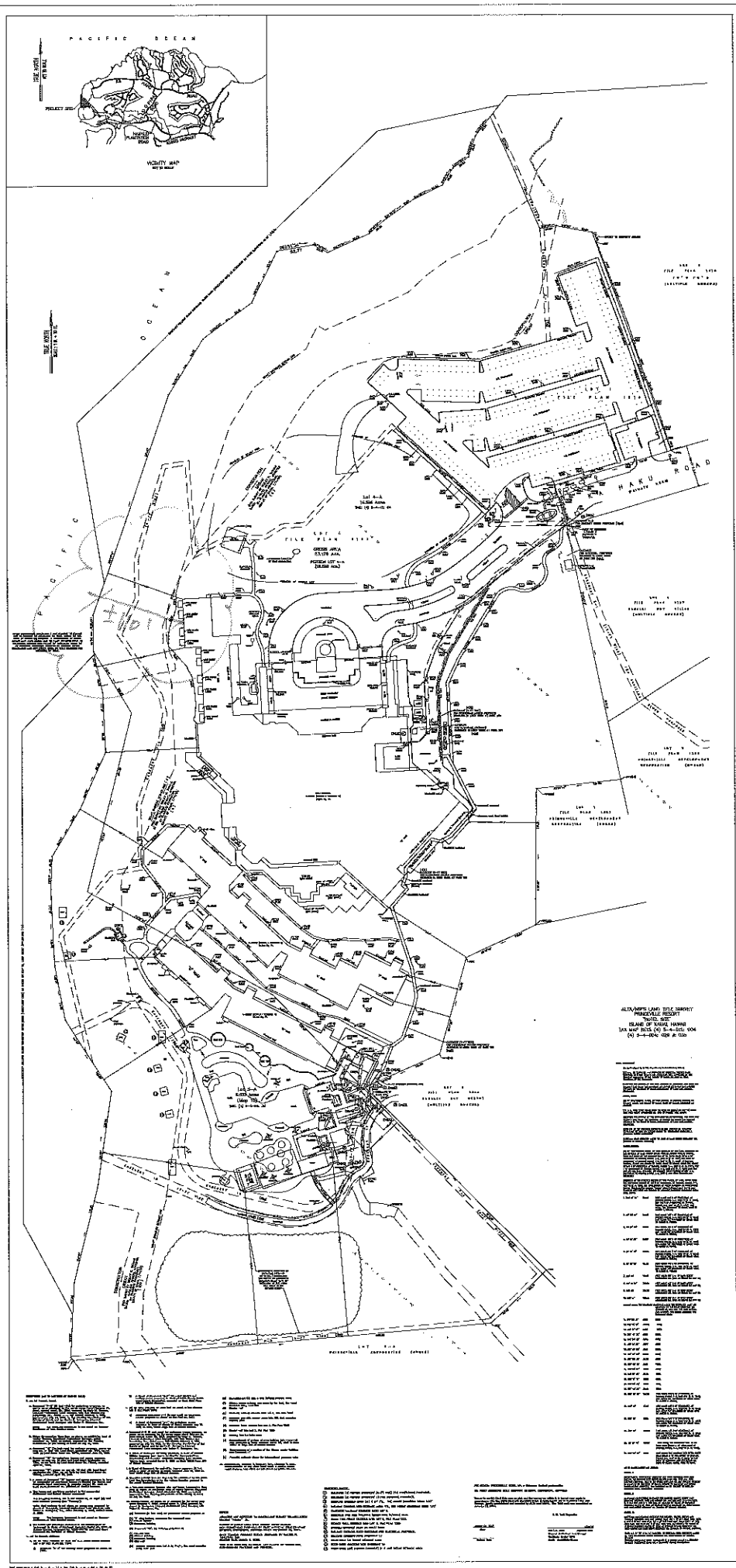
Planning Director or designee

Date

☐

Additional comments/conditions:





BARINGS

December 21, 2017

County of Kauai
Planning Department
4444 Rice Street
Lihue, HI 96766
(808) 241-4050

With this note, I request your recognition of agency vested in Kollin Altomare Architects to represent our interest in the process of Building and Zoning Permit applications for our property located at 5520 Kahaku Road, Princeville, Kauai, HI, and further identified by TAX map key # (4) 5-4-001: 004 & (4) 5-4-004: 029 & 035.

As owner of more than 75% interest in this property I respectfully request your consideration of Kollin Altomare Architects as our agent for the period ending December 31, 2018.

Sincerely,

Owner: Princeville Hotel LP,
A Delaware Limited Partnership
Through its Agent
Barings Real Estate Advisers

Authorized Signature: _____

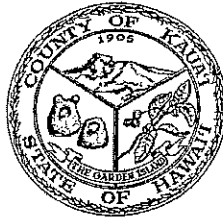


Date: _____

12/21/2017

BY: Scott S. Piccone, Managing Director
180 Glastonbury Blvd, Suite 200
Glastonbury, CT 06033
860-368-2835

Bernard P. Carvalho Jr.
Mayor



Lyle Tabata
Acting County Engineer

Wallace G. Rezentes Jr.
Managing Director

DEPARTMENT OF PUBLIC WORKS

County of Kaua'i, State of Hawai'i

4444 Rice Street, Suite 275, Lihue, Hawai'i 96766
TEL (808) 241-4992 FAX (808) 241-6604

January 30, 2018

Palms Hawai'i Architecture, LLC
2970 Kele Street #115
Lihue HI 96766
Attn: Andrea Lincoln

Subject: SHORELINE SETBACK APPLICATION
SUBSTANTIAL IMPROVEMENT DETERMINATION
ST. REGIS PRINCEVILLE – BUILDING 1, #902 & #802
TMK: (4) 5-4-011:004

PW 12.17.150

Dear Ms. Lincoln,

The Kaua'i County Shoreline Setback and Coastal Protection Ordinance (Ordinance No. 979) Section 8-27.2 defines substantial improvement as "any cumulative series of repairs, reconstruction, improvements, or additions to a structure over a ten (10) year period, where the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure before the start of construction of the first improvement during that ten (10) year period. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure."

The Department of Public Works (DPW) Engineering Division has reviewed the proposed room renovations to two existing hotel rooms located in Building 1 of the St. Regis Hotel in Princeville. DPW has determined that the proposed improvements do not constitute a substantial improvement. A summary of the calculations follows.

Market Value

There were 11 other building permits approved for the Building 1 within the past 10 years. The first permit was approved in 2008. Therefore, the market value used in the calculations is the 2008 Replacement Cost New Less Depreciation (RCNLD) value for the structure as determined by County's Real Property Assessment Division. The 2008 RCNLD was determined to be \$38,002,000. If the owner chooses to dispute this value, then an appraisal of the structure must be provided at the owner's expense. The appraisal shall be prepared by a professional appraiser licensed in the State of Hawai'i and the market value shall be based on the "Cost Approach" (or Replacement Cost New Less Depreciation).

Cost of Improvements

The cost of past building permits is taken to be the valuation shown in DPW Building Division records. The total cost of improvements for the proposed room renovations to two existing hotel rooms located in Building 1 is taken to be the cost estimate of \$125,000 that was prepared by Brian Husting of Kollin Atomare Architects and submitted to the Engineering Division on January 17, 2018. The total cost is summarized as follows for the past 10 years:

BP 07-1943	\$76,500
BP 07-2140	\$112,000
BP 07-2141	\$550,000
BP 07-2142	\$40,000
BP 07-2143	\$40,000
BP 08-0151	\$21,250
BP 08-0152	\$2,974,000
BP 08-0638	\$4,375,000
BP 08-2026	\$2,000,000
BP 09-1374	\$65,000
BP 09-2058	\$46,000
BP 18-2058 (CURRENT)	\$125,000
TOTAL COST	\$10,424,750

Summary

The cost of improvements compared to the market value is:

$$\frac{\text{Cost of Improvements (past 10 years): } \$10,424,750}{\text{Market Value (Real Property): } \$38,002,000} = 0.2743 \text{ or } 27.43\%$$

Since the total cost does not exceed 50% of the market value, the improvement is not considered to be substantial. Based on our records there were no other permits for the structure within the past ten years. However, if any unpermitted work has been done, or if there are modifications to this application, our determination shall be considered void and the structure must be re-evaluated.

If you have any questions or need additional information, contact Stanford Iwamoto at (808) 241-4896 or siwamoto@kauai.gov.

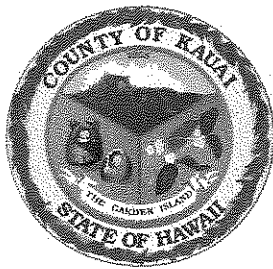
Sincerely,



MICHAEL MOULE, P.E.
Chief, Engineering Division

SI/Bv

Copy: Design and Permitting
Planning



PLANNING DEPARTMENT SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 2018 - 36	
Acceptance Date:	2/15/18
Website Posting Date:	2/16/18
Determination Date:	2/16/18
Planning Commission Date:	2/13/18
Expiration Date:	2/10/21
Planner Assigned:	8/1/15

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know, due to proximity of the shoreline, that your parcel will require a Certified Shoreline Survey. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information	
Applicant:	Honua Engineering, Inc./Brian M. Hennessy
Address:	P.O. Box 851 Hanalei, HI 96714
Phone:	826-7256
Email:	Brian@honuaengineering.com
Applicant's Status: (Check one)	
<input type="checkbox"/> Owner of the Property	(Holder of at least 75% of the equitable and legal title)
<input type="checkbox"/> Lessee of the Property	Lessee must have an unexpired and recorded lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
<input checked="" type="checkbox"/> Authorized Agent	Attach Letter of Authorization
Transmittal Date:	April 7, 2017

Project Information (attach additional sheets, if necessary)	
County Zoning District:	AG
Tax Map Key(s):	(4) 1-7-06:12
Land Area:	8.332 acres
Nature of Development: (Description of proposed Structure or subdivision)	Two residential buildings on oceanfront parcel that is developed with existing single family residence.

**NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE,
EXCEPT AS PROVIDED IN §8-27.8(c)(8)**

Part A

Shoreline Setback Determination of Applicability (§8-27.1)

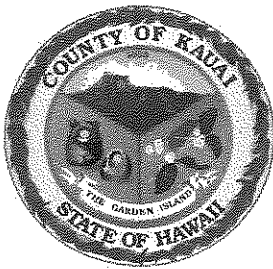
Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

- ☒ Properties Abutting the Shoreline
☒ Project's approximate distance from shoreline: 183' Residence 1
590' Residence 2

- ☐ Properties Not Abutting the Shoreline
☐ Project's approximate distance from shoreline: _____

- ☐ Additional Information:
☐ Closest distance of improvement(s) from Shoreline is approximately _____ ft.
☐ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

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PLANNING DEPARTMENT SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 201____ - ____	
Acceptance Date:	
Website Posting Date:	
Determination Date:	
Planning Commission Date:	
Expiration Date:	
Planner Assigned:	

- ☒ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)

Flat - ground 8' to 9' above mean sea level

- ☒ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

Sand and reef.

- ☐ Artificially armored Shoreline

☐ If checked, what type of armoring (e.g. seawall, revetment, bulkhead): _____

☐ Is the armoring permitted/authorized? _____

☐ Date of authorization (attach copy of authorization letter): _____

- ☒ Is property in coastal floodplain (if checked, what zone)? AE 11 and VE 11

- ☒ Has this property been subject to coastal hazards in the past? (If checked, please describe)

None know, shoreline is seeing slow accretion per UH erosion study - map attached.

If the proposed structure or subdivision is within the shoreline setback area then, please be aware that if the determination of a structure is approved, the Applicant shall agree in writing that the Applicant, its successors, and permitted assigns shall defend, indemnify, and hold the County of Kaua'i harmless from and against any and all loss, liability, claim or demand arising out of damages to said structures from any coastal natural hazards and coastal erosion, pursuant to §8-27.7(b)(2).

The requirements of the Subsection (b) shall run with the land and shall be set forth in a unilateral agreement recorded by the applicant with the Bureau of Conveyances or the Land Court, whichever is applicable, no later than thirty (30) days after the date of final shoreline approval of the structure under §8-27.8. A copy of the recorded unilateral agreement shall be filed with the Director and the County Engineer no later than forty-five (45) days after the date of the final shoreline determination and approval of the structure and the filing of such with the Director shall be a prerequisite to the issuance of any related building permit. §8-27.7(b)(6).

Applicant's Signature

B. Hennessey
Signature

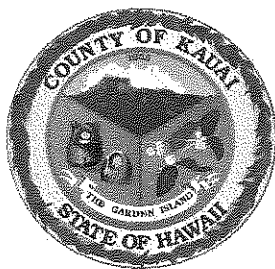
4/7/17
Date

Applicability (to be completed by Planning Department)

- ☒ **Setback Determination necessary.** Requirements of Ordinance No. 979 apply, submit full application.

[Signature]
Planning Director or designee

2/5/18
Date



PLANNING DEPARTMENT SHORELINE SETBACK APPLICATION

If **Part A** has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B

Exemption Determination

- ☒ A non-refundable processing fee of **one hundred dollars (\$100.00)** shall accompany a request for determination. (§8-27.8(e))

☐ **Exemption 1**

In cases where the proposed structure or subdivision satisfies the following four criteria:

(A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;

(B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;

(C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and

(D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☒ **Exemption 2**

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☐ **Exemption 3**

Those structures and uses found exempt in Table 3 (§8-27.7) (see pg. 5-6)

- ☐ Letter from the Department of Public Works stating that the proposed project does not constitute "Substantial Improvement," pursuant to §8-27.2

Exemption Determination (to be completed by Planning Department)

Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination required established under §8-27.8.


Planning Director or designee


Date

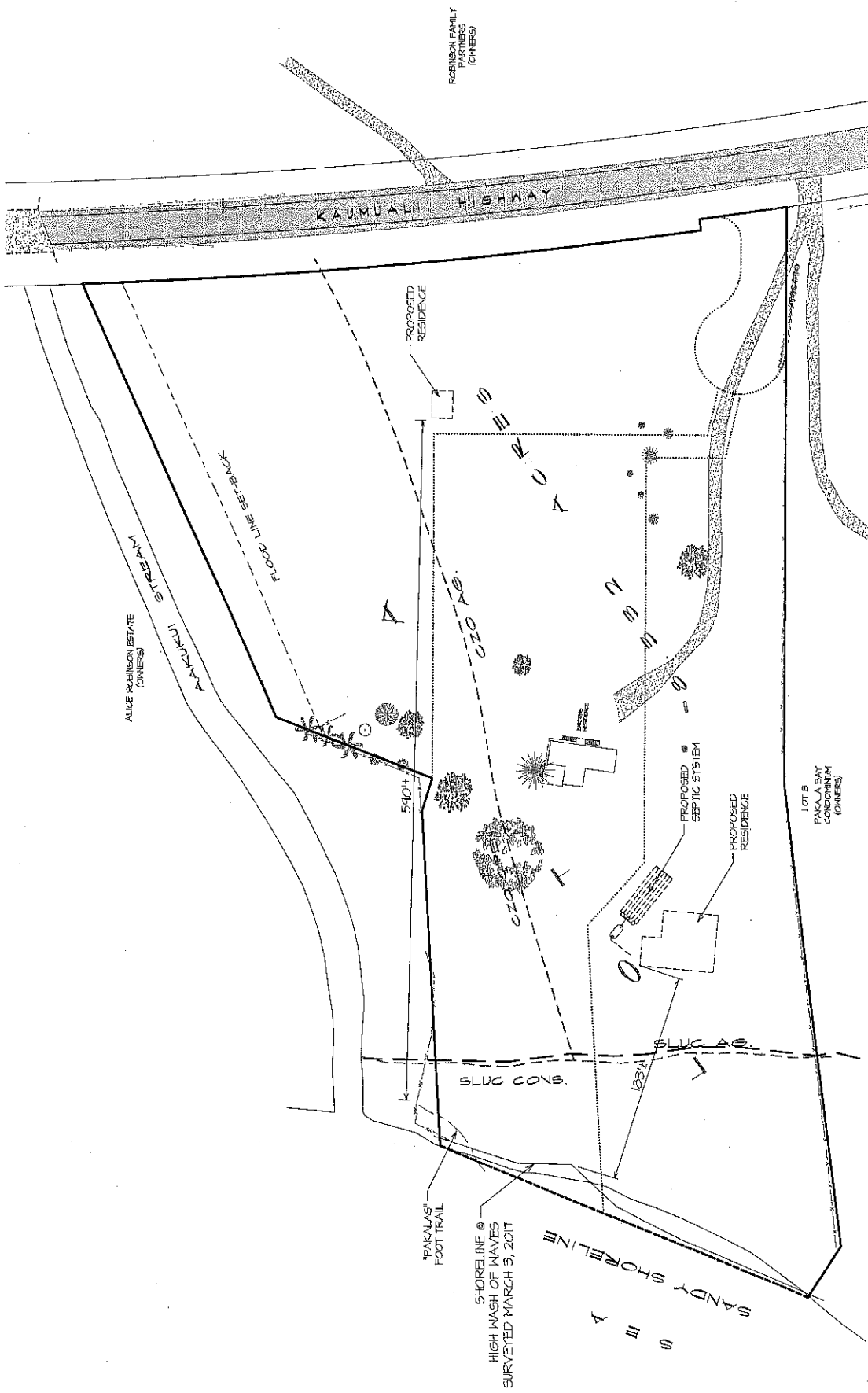


EXHIBIT MAP - SHORELINE SETBACK DETERMINATION **PAKALA ACRES CONDOMINIUM**

LOT "A"

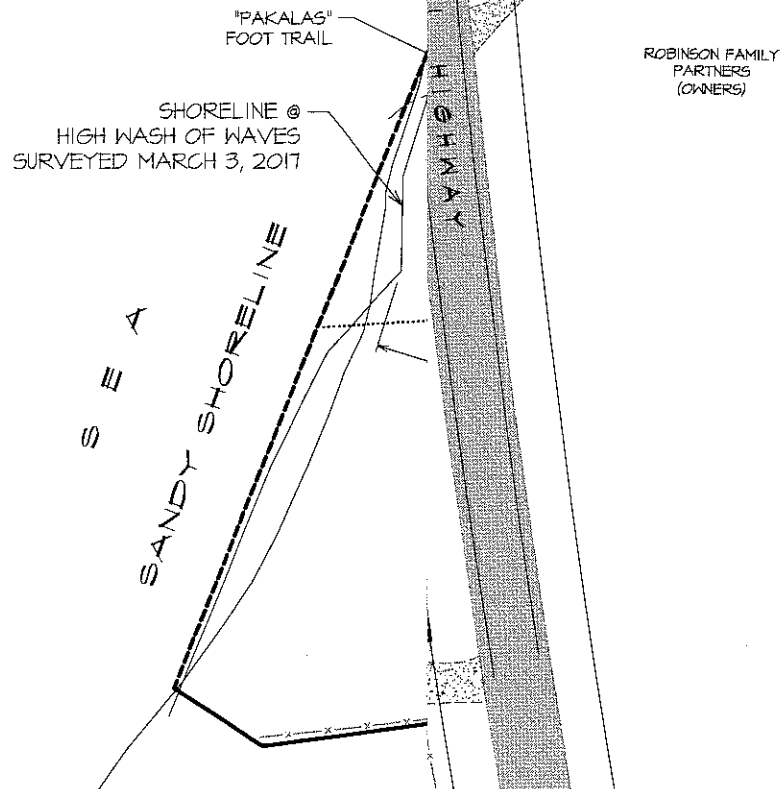
BEING A PORTION OF
R.P. 4476, L.C. AM., T1S AP. I
TO Y. KAWANALU
AT MAKAWALI, (KONA), KAUAI, HAWAII

PREPARED FOR:
KAWALI & NEER
KATHERINE A. NEER TRUST

PREPARED ON:
APRIL 6, 2017



TRUE NORTH
Scale: 1 INCH = 50 FEET



PREPARED FOR:
RANDALL S. WEIR
KATHERINE A. WEIR TRUST

PREPARED ON:
APRIL 6, 2017

SHORELINE SETBACK DETERMINATION WORKSHEET

NAME HONDA DNG

TMK (4) 1-7-06-012

AVERAGE LOT DEPTH 818

SHORELINE EROSION RATE .5' ACCRETION

SHORELINE SETBACK ~~130'~~ 100'

PROPOSED IMPROVEMENT SETBACK 133' AND 590'

SUBSTANTIAL IMPROVEMENT LETTER YES ☒ NO

NEEDS SMA VSE PERMIT SMA (4) 2014-5 YES ☒ NO

BUILDING PERMIT SUBMITTED YES NO

BUILDING PERMIT FORWARDED YES NO

ZONING PERMIT YES NO

PLANNING COMMISSION YES ☒ NO

PC DATE _____

BUILDING PERMIT # _____

PENDING ITEMS/DATE ADVISED

10
17
1A
 $981 + 1896 + 411 = 3188$
 $810 539 = 900$
 $40 + (70 \times 0) + 90 =$
DEV. IN 2014
PENDING

HONUA ENGINEERING, INC.
Ching Young Center Ste. C7
P.O. Box 851, Hanalei, Kauai, Hawaii 96714
PH: (808) 826-7256 Fax: (808) 826-7745

County of Kauai

TRANSMITTAL

PLAN INDEPT

To: County of Kauai, Dept of Planning
Engineering Division
4444 Rice Street, Ste. A-473
Lihu'e, HI. 96766 – 1340

17 APR 10 01:57
Date: April 7, 2017

Attn: Jody Galinato, SMA Planner

Subject: **Shoreline Setback Application for Lot "A", Makaweli, (Kona),
Kauai, Hawaii** TMK: (4) 1-7-06:12

We are transmitting the following:

⇒ (1) SSD Application w/Check # 12211 - \$100.00 for Application Fee

Remarks:

Dear Jody,

Enclosed is a Hard Copy SSD Application which was emailed to you today.

Thank you!

Brian

Please contact Brian M. Hennessy @ 826-7256, ext. 112, if you require further information.

Transmittal prepared by: Cecelia T. Villanueva

cc: Randy S. Weir
Judith A. Cook
Katherine A. Weir, Trust
Laura G. Weir, Trust

Project No : 4618